IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BERTRAM LOEB

v. : No. 02-CV-3833

:

BANK OF AMERICA,

HERBERT S. GARTEN, ESQUIRE,

SHELDON G. DAGURT, ESQUIRE, and : JURY TRIAL DEMANDED

FEDDER & GARTEN, P.A.

NOTICE OF DISMISSAL PURSUANT TO FED.R.C.P. 41(a)

Plaintiff, Bertram Loeb, by and through his counsel, pursuant to Fed.R.C.P. 41(a) hereby dismisses, without prejudice, Defendant, Sheldon G. Dagurt, Esquire, as a party in this action.

POWELL, TRACHTMAN, LOGAN, CARRLE, BOWMAN & LOMBARDO

By: _____

Ethan N. Halberstadt, Esquire Kevin K. Carton, Esquire Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Kevin K. Carton, Jr., hereby certify that on this _____ day of March, 2003, I caused a true and correct copy of Plaintiff's Notice of Dismissal Pursuant to Fed.R.Civ.P. 41(a) to be served upon the following counsel of record via first class mail, postage prepaid, addressed as follows:

Melissa H. Maxman, Esquire Charlene Keller Fullmer, Esquire Duane Morris, LLP One Liberty Place, Suite 4200 Philadelphia, PA 19103 Attorneys for Defendants, Herbert S. Garten, Esquire, Sheldon G. Dagurt, Esquire and Fedder & Garten, P.A. Mark A. Klugheit, Esquire Robert L. Freedman, Esquire Erin A. Brennan, Esquire Dechert, Price & Rhoads 4000 Bell Atlantic Tower 1717 Arch Street Philadelphia, PA 19103 Attorneys for Defendant, Bank of America

AND

Andrew Jay Graham, Esquire Geoffrey H. Genth, Esquire Kramon & Graham, P.A. One South Street, Suite 2600 Baltimore, MD 21202 Attorneys for Defendants, Herbert S. Garten, Esquire, Sheldon G. Dagurt, Esquire and Fedder & Garten, P.A.

POWELL, TRACHTMAN, LOGAN, CARRLE, BOWMAN & LOMBARDO

By: ______ Kevin K. Carton, Jr., Esquire Attorneys for Plaintiff